

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

HILDA SOLIS, Secretary of Labor,	)	
	)	
Plaintiff,	)	NO. 3:10-00472
	)	JUDGE HAYNES
v.	)	
	)	
TENNESSEE COMMERCE	)	
BANCORP, INC., et al.,	)	
	)	
Defendants.	)	

**O R D E R**

In accordance with the Memorandum filed herewith, Defendants' motion to dismiss (Docket Entry No. 5) is **DENIED**. Plaintiff's motion for a temporary restraining order and preliminary injunction (Docket Entry No. 2) is **GRANTED**. Defendants are **ORDERED** to immediately reinstate Complainant George Fort to his former position as Chief Financial Officer with Tennessee Commerce Bank. Defendants, their agents, servants, employees, and those persons in active concert or participation with them and all persons having actual notice of these proceedings, are temporarily restrained from interfering with, hindering or delaying the Secretary of Labor or her authorized representative in carrying out the provisions of section 806 of the Act (18 U.S.C. § 1514A) and the Rules for Implementing Section 806 of the Act (29 C.F.R. Part 1980), specifically including, but not limited to, enforcing the March 17, 2010 Findings and Preliminary Order in the administrative proceeding styled: Tennessee Commerce Bancorp, Inc./Fort/4-1760-08-017, ordering Defendants immediately to reinstate Complainant George Fort to his former position as Chief Financial Officer with Tennessee Commerce Bank.

It is so **ORDERED**.

ENTERED this the 19<sup>th</sup> day of May, 2010.



WILLIAM J. HAYNES, JR.  
United States District Judge